

(2) If the department of ~~commerce~~ certifies a taxpayer under sub. (1), the department of ~~commerce~~ shall determine the amount of credits to allocate to that taxpayer. The total amount of dairy manufacturing facility investment credits allocated to taxpayers in fiscal year 2007-08 may not exceed \$600,000 and the total amount of dairy manufacturing facility investment credits allocated to taxpayers who are not members of dairy cooperatives in fiscal year 2008-09, and in each fiscal year thereafter, may not exceed \$700,000. The total amount of dairy manufacturing facility investment credits allocated to taxpayers who are members of dairy cooperatives in fiscal year 2009-10 may not exceed \$600,000 and the total amount of dairy manufacturing facility investment credits allocated to taxpayers who are members of dairy cooperatives in fiscal year 2010-11, and in each fiscal year thereafter, may not exceed \$700,000.

(3) The department of ~~commerce~~ shall inform the department of revenue of every taxpayer certified under sub. (1) and the amount of credits allocated to the taxpayer.

(4) The department of ~~commerce~~, in consultation with the department of revenue, shall promulgate rules to administer this section.

**\*-1465/P3.1178\* \*-1059/P3.663\* SECTION 3477.** 560.208 of the statutes is renumbered 238.19 and amended to read:

**238.19 Meat processing facility investment credit.** (1) The department of ~~commerce~~ corporation shall implement a program to certify taxpayers as eligible for the meat processing facility investment credit under ss. 71.07 (3r), 71.28 (3r), and 71.47 (3r).

(2) If the department of ~~commerce~~ corporation certifies a taxpayer under sub. (1), the department of ~~commerce~~ corporation shall determine the amount of credits

1 to allocate to that taxpayer. The total amount of meat processing facility investment  
2 credits allocated to taxpayers in fiscal year 2009-10 may not exceed \$300,000 and  
3 the total amount of meat processing facility investment credits allocated to  
4 taxpayers in fiscal year 2010-11, and in each fiscal year thereafter, may not exceed  
5 \$700,000.

6 (3) The ~~department of commerce~~ corporation shall inform the department of  
7 revenue of every taxpayer certified under sub. (1) and the amount of credits allocated  
8 to the taxpayer.

9 (4) The ~~department of commerce~~ corporation, in consultation with the  
10 department of revenue, shall ~~promulgate~~ adopt rules to administer this section.

11 **\*-1465/P3.1179\* \*-1059/P3.664\* SECTION 3478.** 560.2085 of the statutes is  
12 renumbered 238.20, and 238.20 (1) (intro.), (2) and (3), as renumbered, are amended  
13 to read:

14 238.20 (1) (intro.) The ~~department~~ corporation shall implement a program to  
15 certify qualified new business ventures for purposes of s. 71.05 (24). A business  
16 desiring certification shall submit an application to the ~~department~~ corporation in  
17 each taxable year for which the business desires certification. Subject to sub. (2), a  
18 business may be certified under this subsection, and may maintain such  
19 certification, only if the business is engaged in one of the following:

20 (2) The ~~department~~ corporation may not certify a business under sub. (1) if the  
21 business is engaged in real estate development, insurance, banking, lending,  
22 lobbying, political consultation, professional services provided by attorneys,  
23 accountants, business consultants, physicians, or health care consultants, wholesale  
24 or retail sales, leisure, hospitality, transportation, or construction.

1           (3) (a) The ~~department~~ corporation shall maintain a list of businesses certified  
2           under sub. (1) and shall permit public access to the lists through the ~~department's~~  
3           corporation's Internet Web site.

4           (b) The ~~department of commerce~~ corporation shall notify the department of  
5           revenue of every certification issued under sub. (1) and the date on which a  
6           certification under sub. (1) is revoked or expires.

7           \***-1465/P3.1180\*** \***-1059/P3.665\*** **SECTION 3479.** 560.209 of the statutes is  
8           renumbered 238.21 and amended to read:

9           **238.21 Woody biomass harvesting and processing credit.** (1) The  
10          ~~department of commerce~~ corporation shall implement a program to certify taxpayers  
11          as eligible for the woody biomass harvesting and processing credit under ss. 71.07  
12          (3rm), 71.28 (3rm), and 71.47 (3rm).

13          (2) If the ~~department of commerce~~ corporation certifies a taxpayer under sub.  
14          (1), the ~~department of commerce~~ corporation shall determine the amount of credits  
15          to allocate to that taxpayer. The total amount of woody biomass harvesting and  
16          processing credits allocated to taxpayers in any fiscal year may not exceed \$900,000.  
17          In each fiscal year, the ~~department of commerce~~ corporation shall allocate \$450,000  
18          in tax credits to businesses that, individually, have no more than \$5,000,000 in gross  
19          receipts from doing business in this state for the taxable year in which the credit is  
20          claimed.

21          (3) The ~~department of commerce~~ corporation shall inform the department of  
22          revenue of every taxpayer certified under sub. (1) and the amount of credits allocated  
23          to the taxpayer.

24          (4) The ~~department of commerce~~ corporation, in consultation with the  
25          department of revenue, shall ~~promulgate~~ adopt rules to administer this section.

**SECTION 3480**

1           **\*-1465/P3.1181\* \*-1059/P3.666\* SECTION 3480.** 560.21 of the statutes is  
2 repealed.

3           **\*-1465/P3.1182\* \*-1059/P3.667\* SECTION 3481.** 560.25 of the statutes is  
4 repealed.

5           **\*-1465/P3.1183\* \*-1059/P3.668\* SECTION 3482.** 560.255 of the statutes is  
6 repealed.

7           **\*-1465/P3.1184\* \*-1059/P3.669\* SECTION 3483.** 560.27 of the statutes is  
8 repealed.

9           **\*-1465/P3.1185\* \*-1059/P3.670\* SECTION 3484.** 560.275 of the statutes is  
10 repealed.

11           **\*-1465/P3.1186\* \*-1059/P3.671\* SECTION 3485.** 560.276 of the statutes is  
12 repealed.

13           **\*-1465/P3.1187\* \*-1059/P3.672\* SECTION 3486.** 560.277 of the statutes is  
14 repealed.

15           **\*-1465/P3.1188\* \*-1059/P3.673\* SECTION 3487.** 560.28 of the statutes is  
16 repealed.

17           **\*-1465/P3.1189\* \*-1059/P3.674\* SECTION 3488.** 560.285 of the statutes is  
18 repealed.

19           **\*-1465/P3.1190\* \*-1059/P3.675\* SECTION 3489.** 560.29 of the statutes is  
20 repealed.

21           **\*-1465/P3.1191\* \*-1059/P3.676\* SECTION 3490.** Subchapter II (title) of  
22 chapter 560 [precedes 560.30] of the statutes is repealed.

23           **\*-1465/P3.1192\* \*-1059/P3.677\* SECTION 3491.** 560.30 of the statutes is  
24 repealed.

1           **\*-1465/P3.1193\* \*-1059/P3.678\* SECTION 3492.** 560.301 of the statutes is  
2 repealed.

3           **\*-1465/P3.1194\* \*-1059/P3.679\* SECTION 3493.** 560.302 of the statutes is  
4 repealed.

5           **\*-1465/P3.1195\* \*-1059/P3.680\* SECTION 3494.** 560.303 of the statutes is  
6 repealed.

7           **\*-1465/P3.1196\* \*-1059/P3.681\* SECTION 3495.** 560.304 of the statutes is  
8 repealed.

9           **\*-1465/P3.1197\* \*-1059/P3.682\* SECTION 3496.** 560.305 of the statutes is  
10 repealed.

11           **\*-1465/P3.1198\* \*-1059/P3.683\* SECTION 3497.** Subchapter III (title) of  
12 chapter 560 [precedes 560.41] of the statutes is repealed.

13           **\*-1465/P3.1199\* \*-1059/P3.684\* SECTION 3498.** 560.41 of the statutes is  
14 repealed.

15           **\*-1465/P3.1200\* \*-1059/P3.685\* SECTION 3499.** 560.42 of the statutes is  
16 repealed.

17           **\*-1465/P3.1201\* \*-1059/P3.686\* SECTION 3500.** 560.43 of the statutes is  
18 repealed.

19           **\*-1465/P3.1202\* \*-1059/P3.687\* SECTION 3501.** 560.44 of the statutes is  
20 repealed.

21           **\*-1465/P3.1203\* \*-0808/2.485\* SECTION 3502.** 560.45 of the statutes is  
22 renumbered 490.05, and 490.05 (1), as renumbered, is amended to read:

23           490.05 (1) The department may award a grant from the appropriations under  
24 s. 20.143 20.165 (1) (ie), (ig), (im), and (ir) to a business for innovation and research  
25 assistance.

**SECTION 3503**

1           **\*-1465/P3.1204\* \*-1059/P3.689\* SECTION 3503.** Subchapter IV (title) of  
2 chapter 560 [precedes 560.51] of the statutes is repealed.

3           **\*-1465/P3.1205\* \*-1059/P3.690\* SECTION 3504.** 560.51 of the statutes is  
4 repealed.

5           **\*-1465/P3.1206\* \*-1059/P3.691\* SECTION 3505.** 560.53 of the statutes is  
6 repealed.

7           **\*-1465/P3.1207\* \*-1059/P3.692\* SECTION 3506.** 560.54 of the statutes is  
8 repealed.

9           **\*-1465/P3.1208\* \*-1059/P3.693\* SECTION 3507.** Subchapter V (title) of  
10 chapter 560 [precedes 560.60] of the statutes is repealed.

11           **\*-1465/P3.1209\* \*-1059/P3.694\* SECTION 3508.** 560.60 of the statutes is  
12 repealed.

13           **\*-1465/P3.1210\* \*-1059/P3.695\* SECTION 3509.** 560.602 of the statutes is  
14 repealed.

15           **\*-1465/P3.1211\* \*-1059/P3.696\* SECTION 3510.** 560.605 of the statutes is  
16 repealed.

17           **\*-1465/P3.1212\* \*-1059/P3.697\* SECTION 3511.** 560.607 of the statutes is  
18 repealed.

19           **\*-1465/P3.1213\* \*-1059/P3.698\* SECTION 3512.** 560.61 of the statutes is  
20 repealed.

21           **\*-1465/P3.1214\* \*-1059/P3.699\* SECTION 3513.** 560.68 of the statutes is  
22 repealed.

23           **\*-1465/P3.1215\* \*-1059/P3.700\* SECTION 3514.** Subchapter VI (title) of  
24 chapter 560 [precedes 560.70] of the statutes is repealed.

1           \***-1465/P3.1216\*** \***-1059/P3.701\*** **SECTION 3515.** 560.70 (intro.), (2), (2g),  
2           (2m), (3), (4), (4m), (5), (6) and (7) of the statutes are renumbered 238.30 (intro.), (2),  
3           (2g), (2m), (3), (4), (4m), (5), (6) and (7), and 238.30 (intro.), (2g), (2m) (b), (4) and (7)  
4           (b) 1. and 2., (c) and (d), as renumbered, are amended to read:

5           **238.30 Definitions.** (intro.) In this section and ss. ~~560.71 to 560.795~~ 238.31  
6           to 238.395:

7           **(2g)** “Eligible activity” means an activity described under s. ~~560.702~~ 238.302.

8           **(2m)** (b) The ~~department may by rule specify~~ corporation may adopt a rule  
9           specifying circumstances under which the ~~department~~ corporation may grant  
10          exceptions to the requirement under par. (a) that a full-time job means a job in which  
11          an individual, as a condition of employment, is required to work at least 2,080 hours  
12          per year, but under no circumstances may a full-time job mean a job in which an  
13          individual, as a condition of employment, is required to work less than 37.5 hours per  
14          week.

15          **(4)** “Local governing body” means the governing body of one or more cities,  
16          villages, towns, or counties or the elected governing body of a federally recognized  
17          American Indian tribe or band in this state.

18          **(7)** (b) 1. Except as provided in subd. 2., in s. ~~560.795~~ 238.395, “tax benefits”  
19          means the development zones investment credit under ss. 71.07 (2di), 71.28 (1di),  
20          and 71.47 (1di) and the development zones credit under ss. 71.07 (2dx), 71.28 (1dx),  
21          71.47 (1dx), and 76.636. With respect to the development opportunity zones under  
22          s. ~~560.795~~ 238.395 (1) (e) and (f), “tax benefits” also means the development zones  
23          capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

24          2. With respect to the development opportunity zones under s. ~~560.795~~ 238.395  
25          (1) (g) and (h), “tax benefits” means the development zone credits under ss. 71.07

(2dx), 71.28 (1dx), 71.47 (1dx), and 76.636 and the development zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm).

(c) In s. ~~560.798~~ 238.398, “tax benefits” means the development zones capital investment credit under ss. 71.07 (2dm), 71.28 (1dm), and 71.47 (1dm) and the development zones credits under ss. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), and 76.636.

(d) In ss. ~~560.701 to 560.706~~ 238.301 to 238.306, “tax benefits” means the economic development tax credit under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and 76.637.

**\*-1465/P3.1217\* \*-1059/P3.702\* SECTION 3516.** 560.70 (1) of the statutes is repealed.

**\*-1195/1.137\* SECTION 3517.** 560.70 (4m) of the statutes is amended to read:

560.70 (4m) “Member of a targeted group” means a person who resides in an area designated by the federal government as an economic revitalization area, a person who is employed in an unsubsidized job but meets the eligibility requirements under s. 49.145 (2) and (3) for a Wisconsin Works employment position, a person who is employed in a trial job, as defined in s. 49.141 (1) (n), or in a real work, real pay project position under s. 49.147 (3m), a person who is eligible for child care assistance under s. 49.155, a person who is a vocational rehabilitation referral, an economically disadvantaged youth, an economically disadvantaged veteran, a supplemental security income recipient, a general assistance recipient, an economically disadvantaged ex-convict, a dislocated worker, as defined in 29 USC 2801 (9), or a ~~food stamp~~ recipient of benefits under the supplemental nutrition assistance program under 7 USC 2011 to 2036, if the person has been certified in the manner under 26 USC 51 (d) (13) (A) by a designated local agency, as defined in 26 USC 51 (d) (12).



1           **\*-1465/P3.1218\* \*-1059/P3.703\* SECTION 3518.** 560.701 of the statutes is  
2       renumbered 238.301, and 238.301 (1) (intro.) and (e), (2) (a) and (b) and (3) (intro.),  
3       (b), (c), (d) and (f), as renumbered, are amended to read:

4           238.301 (1) APPLICATION. (intro.) Any person may apply to the ~~department~~  
5       corporation on a form prepared by the ~~department~~ corporation for certification under  
6       this section. The application shall include all of the following:

7           (e) Other information required by the ~~department~~ corporation or the  
8       department of revenue.

9           (2) (a) The ~~department~~ corporation may certify a person who submits an  
10      application under sub. (1) if, after conducting an investigation, the ~~department~~  
11      corporation determines that the person is conducting or intends to conduct at least  
12      one eligible activity.

13          (b) The ~~department~~ corporation shall provide a person certified under this  
14      section and the department of revenue with a copy of the certification.

15          (3) CONTRACT. (intro.) A person certified under this section shall enter into a  
16      written contract with the ~~department~~ corporation. The contract shall include  
17      provisions that detail all of the following:

18          (b) Whether any of the eligible activities will occur in an economically  
19      distressed area, as designated by the ~~department~~ corporation under s. 560.704  
20      238.304 (1).

21          (c) Whether any of the eligible activities will benefit members of a targeted  
22      group, as determined by the ~~department~~ corporation under s. 560.704 238.304 (2).

23          (d) A compliance schedule that includes a sequence of anticipated actions to be  
24      taken or goals to be achieved by the person before the person may receive tax benefits  
25      under s. 560.703 238.303.

(f) If feasible, a determination of the tax benefits the person will be authorized to claim under s. ~~560.703~~ 238.303 (2) if the person fulfills the terms of the contract.

**\*-1465/P3.1219\* \*-1059/P3.704\* SECTION 3519.** 560.702 of the statutes is renumbered 238.302, and 238.302 (intro.), (1), (2) and (3), as renumbered, are amended to read:

**238.302 Eligible activities.** (intro.) A person who conducts or proposes to conduct any of the following may be certified under s. ~~560.701~~ 238.301 (2):

(1) JOB CREATION PROJECT. A project that creates and maintains for a period of time established by the ~~department~~ corporation by rule full-time jobs in addition to any existing full-time jobs provided by the person.

(2) CAPITAL INVESTMENT PROJECT. A project that involves a significant investment of capital, as defined by the ~~department~~ corporation by rule under s. ~~560.706~~ 238.306 (2) (b), by the person in new equipment, machinery, real property, or depreciable personal property.

(3) EMPLOYEE TRAINING PROJECT. A project that involves significant investments in the training or reeducation of employees, as defined by the ~~department~~ corporation by rule under s. ~~560.706~~ 238.306 (2) (c), by the person for the purpose of improving the productivity or competitiveness of the business of the person.

**\*-1465/P3.1220\* \*-1059/P3.705\* SECTION 3520.** 560.703 (title) of the statutes is renumbered 238.303 (title).

**\*-1465/P3.1221\* \*-1059/P3.706\* SECTION 3521.** 560.703 (1) (a) of the statutes, as affected by 2011 Wisconsin Act 4, is renumbered 238.303 (1) (a) and amended to read:

238.303 (1) (a) Except as provided in pars. (am) and (b), and subject to a reallocation by the ~~department~~ corporation pursuant to rules ~~promulgated~~ adopted

1 under s. ~~560.205~~ 238.15 (3) (d), the total tax benefits available to be allocated by the  
2 ~~department corporation~~ under ss. ~~560.701 to 560.706~~ 238.301 to 238.306 may not  
3 exceed the sum of the tax benefits remaining to be allocated under ~~ss. s. 560.71 to~~  
4 560.785, 2009 stats., s. 560.797, 2009 stats., s. 560.798, 2009 stats., s. 560.7995, 2009  
5 stats., and s. 560.96, 2009 stats., on March 6, 2009, plus \$25,000,000.

6 **\*-1465/P3.1222\* \*-1059/P3.707\* SECTION 3522.** 560.703 (1) (am) of the  
7 statutes, as created by 2011 Wisconsin Act 4, is renumbered 238.303 (1) (am) and  
8 amended to read:

9 238.303 (1) (am) Before the ~~department corporation~~ allocates the additional  
10 \$25,000,000 in tax benefits specified in par. (a), the ~~department corporation~~ shall  
11 submit its plan for such allocation to the joint committee on finance. If the  
12 cochairpersons of the committee do not notify the ~~department corporation~~ within 14  
13 working days after the date of the ~~department's corporation's~~ submittal that the  
14 committee has scheduled a meeting for the purpose of reviewing the plan, the plan  
15 may be implemented and the additional amount may be allocated as proposed by the  
16 ~~department corporation~~. If, within 14 working days after the date of the  
17 ~~department's corporation's~~ submittal, the cochairpersons of the committee notify the  
18 ~~department corporation~~ that the committee has scheduled a meeting for the purpose  
19 of reviewing the proposed plan, the plan may be implemented and the additional  
20 amount allocated only upon approval of the committee.

21 **\*-1465/P3.1223\* \*-1059/P3.708\* SECTION 3523.** 560.703 (1) (b), (2) and (3) of  
22 the statutes are renumbered 238.303 (1) (b), (2) and (3) and amended to read:

23 238.303 (1) (b) The ~~department corporation~~ may submit to the joint committee  
24 on finance a request in writing to exceed the total tax benefits specified in par. (a).  
25 The ~~department corporation~~ shall submit with its request a justification for seeking

1 an increase under this paragraph. The joint committee on finance, following its  
2 review, may approve or disapprove an increase in the total tax benefits available to  
3 be allocated under ss. ~~560.701 to 560.706~~ 238.301 to 238.306.

4 (2) AUTHORITY TO CLAIM TAX BENEFITS. The ~~department~~ corporation may  
5 authorize a person certified under s. ~~560.701~~ 238.301 (2) to claim tax benefits only  
6 after the person has submitted a report to the ~~department~~ corporation that  
7 documents to the satisfaction of the ~~department~~ corporation that the person has  
8 complied with the terms of the contract under s. ~~560.701~~ 238.301 (3) and the  
9 requirements of any applicable rules ~~promulgated~~ adopted under s. ~~560.706~~ 238.306  
10 (2).

11 (3) NOTICE OF ELIGIBILITY. The ~~department~~ corporation shall provide to the  
12 person and to the department of revenue a notice of eligibility to receive tax benefits  
13 that reports the amount of tax benefits for which the person is eligible.

14 \*-1465/P3.1224\* \*-1059/P3.709\* SECTION 3524. 560.704 of the statutes is  
15 renumbered 238.304, and 238.304 (intro.) and (1), as renumbered, are amended to  
16 read:

17 **238.304 Eligible activities in economically distressed areas and**  
18 **benefiting members of targeted groups.** (intro.) The ~~department~~ corporation  
19 may authorize a person certified under s. ~~560.701~~ 238.301 (2) to claim additional tax  
20 benefits under s. ~~560.703~~ 238.303 if, after conducting an investigation, the  
21 ~~department~~ corporation determines any of the following:

22 (1) The person conducts at least one eligible activity in an area designated by  
23 the ~~department~~ corporation as economically distressed. In designating an area as  
24 economically distressed under this subsection, the ~~department~~ corporation shall  
25 follow the methodology established by rule under s. ~~560.706~~ 238.306 (2) (e).

1           **\*-1465/P3.1225\* \*-1059/P3.710\* SECTION 3525.** 560.705 of the statutes is  
2           renumbered 238.305, and 238.305 (intro.), (1) and (2), as renumbered, are amended  
3           to read:

4           **238.305 Revocation of certification.** (intro.) The ~~department~~ corporation  
5           shall revoke the certification of a person who does any of the following:

6           (1) Supplies false or misleading information to obtain certification under s.  
7           ~~560.701~~ 238.301 (2).

8           (2) Supplies false or misleading information to obtain tax benefits under s.  
9           ~~560.703~~ 238.303.

10          **\*-1465/P3.1226\* \*-1059/P3.711\* SECTION 3526.** 560.706 of the statutes is  
11          renumbered 238.306, and 238.306 (intro.), (1) (a) and (b), (2) (a), (b), (c), (d), (e)  
12          (intro.), (f), (g), (h), (i) and (k) and (3), as renumbered, are amended to read:

13          **238.306 Responsibilities of the department corporation.** (intro.) The  
14          ~~department~~ corporation shall do all of the following:

15          (1) (a) Annually verify information submitted to the department of revenue  
16          under ss. 71.07 (2dy), 71.28 (1dy), 71.47 (1dy), and 76.637 by persons certified under  
17          s. ~~560.701~~ 238.301 (2) and eligible to receive tax benefits under s. ~~560.703~~ 238.303.

18          (b) Notify and obtain written approval from the ~~secretary~~ chief executive officer  
19          of the corporation for any certification under sub. (2) (j).

20          (2) (a) A schedule of hourly wage ranges to be paid, and health insurance  
21          benefits to be provided, to an employee by a person certified under s. ~~560.701~~ 238.301  
22          (2) and the corresponding per employee tax benefit for which a person certified under  
23          s. ~~560.701~~ 238.301 (2) may be eligible.

24          (b) A definition of "significant investment of capital" for purposes of s. ~~560.702~~  
25          238.302 (2), together with a corresponding schedule of tax benefits for which a person

1 who is certified under s. ~~560.701~~ 238.301 (2) and who conducts a project described  
2 in s. ~~560.702~~ 238.302 (2) may be eligible. The ~~department~~ corporation shall include  
3 in the definition required under this paragraph a schedule of investments that takes  
4 into consideration the size or nature of the business.

5 (c) A definition of “significant investments in the training or reeducation of  
6 employees” for purposes of s. ~~560.702~~ 238.302 (3), together with a corresponding  
7 schedule of tax benefits for which a person who is certified under s. ~~560.701~~ 238.301  
8 (2) and who conducts a project under s. ~~560.702~~ 238.302 (3) may be eligible.

9 (d) A schedule of tax benefits for which a person who is certified under s.  
10 ~~560.701~~ 238.301 (2) and who conducts a project that will result in the location or  
11 retention of a person’s corporate headquarters in Wisconsin may be eligible.

12 (e) (intro.) The methodology for designating an area as economically distressed  
13 under s. ~~560.704~~ 238.304 (1). The methodology under this paragraph shall require  
14 the ~~department~~ corporation to consider the most current data available for the area  
15 and for the state on the following indicators:

16 (f) A schedule of additional tax benefits for which a person who is certified  
17 under s. ~~560.701~~ 238.301 (2) and who conducts an eligible activity described under  
18 s. ~~560.704~~ 238.304 may be eligible.

19 (g) Reporting requirements, minimum benchmarks, and outcomes expected of  
20 a person certified under s. ~~560.701~~ 238.301 (2) before that person may receive tax  
21 benefits under s. ~~560.703~~ 238.303.

22 (h) Policies, criteria, and methodology for allocating a portion of the tax benefits  
23 available under s. ~~560.703~~ 238.303 to rural areas.

24 (i) Policies, criteria, and methodology for allocating a portion of the tax benefits  
25 available under s. ~~560.703~~ 238.303 to small businesses.

(k) Procedures for implementing ss. ~~560.701 to 560.706~~ 238.301 to 238.306.

(3) REPORTING. Annually, 6 months after the report has been submitted under s. ~~560.01 (2) (am)~~ 238.07 (2), submit to the joint legislative audit committee and to the appropriate standing committees of the legislature under s. 13.172 (3) a comprehensive report assessing the program under ss. ~~560.701 to 560.706~~ 238.301 to 238.306. The report under this subsection shall update the applicable information provided in the report under s. ~~560.01 (2) (am)~~ 238.07 (2).

**\*-1465/P3.1227\* \*-1059/P3.712\* SECTION 3527.** 560.71 of the statutes is renumbered 238.31, and 238.31 (1) (intro.), (ac), (am), (b), (d) and (e) (intro.), 3. and 4. a., c. and d., (1m) (intro.), (a) and (h), (2) and (3) (intro.), as renumbered. are amended to read:

238.31 (1) (intro.) The ~~department~~ corporation may designate an area as a development zone if all of the following apply:

(ac) The ~~department~~ corporation has invited a local governing body to nominate the area under s. ~~560.715~~ 238.315.

(am) A local governing body nominates the area as described in s. ~~560.72~~ 238.32.

(b) The ~~department~~ corporation has evaluated the local governing body's application as described in s. ~~560.725~~ 238.325.

(d) The area meets the applicable requirements under s. ~~560.735 or 560.737~~ 238.335.

(e) (intro.) The ~~department~~ corporation determines all of the following:

3. That economic development in the area is not likely to occur or continue without the ~~department's~~ corporation's designation of the area as a development zone.

1           4. a. The unemployment rate in the area is higher than the state average for  
2           the 18 months immediately preceding the date on which the application under s.  
3           ~~560.72~~ 238.32 (2) or (3) was submitted to the ~~department~~ corporation.

4           c. The percentage of households in the area receiving unemployment insurance  
5           under ch. 108, relief funded by a relief block grant under ch. 49, or aid to families with  
6           dependent children under s. 49.19 is higher than the state average.

7           d. In the 36 months immediately preceding the date on which the application  
8           under s. ~~560.72~~ 238.32 (2) or (3) was submitted to the ~~department~~ corporation, a  
9           number of workers in the area were permanently laid off by their employer or became  
10          unemployed as a result of a business action subject to s. 109.07 (1m).

11          **(1m)** (intro.) In making a determination under sub. (1) (e), the ~~department~~  
12          corporation shall consider all of the following:

13          (a) The extent of poverty, unemployment, or other factors contributing to  
14          general economic hardship in the area.

15          (h) Any other factors that the ~~department~~ corporation considers relevant.

16          **(2)** In determining whether an area meets the requirements under sub. (1) (e)  
17          or s. ~~560.735~~ 238.335, the ~~department~~ corporation may rely on any data provided by  
18          the local governing body ~~which~~ that the ~~department~~ corporation determines is  
19          relevant.

20          **(3)** (intro.) The ~~department~~ corporation shall do all of the following:

21          \*-1465/P3.1228\* \*-1059/P3.713\* **SECTION 3528.** 560.715 of the statutes is  
22          renumbered 238.315 and amended to read:

23          **238.315 Invitation to nominate area.** If the ~~department~~ corporation  
24          determines that an area has experienced or is about to experience economic distress,



1 the ~~department~~ corporation may invite local governing bodies in the area to  
2 nominate the area as a development zone.

3 **\*-1465/P3.1229\* \*-1059/P3.714\* SECTION 3529.** 560.72 of the statutes is  
4 renumbered 238.32, and 238.32 (1) (intro.), (2) (intro.), (c), (d), (f) and (i), (3) and (5),  
5 as renumbered, are amended to read:

6 238.32 (1) (intro.) A local governing body may nominate an area as a  
7 development zone, if the ~~department~~ corporation has invited the governing body to  
8 nominate the area under s. ~~560.715~~ 238.315 and if the governing body does all of the  
9 following:

10 (2) (intro.) A local governing body may nominate the area as a development  
11 zone by submitting an application to the ~~department~~ corporation in a form prescribed  
12 by the ~~department~~ corporation. The application shall include all of the following:

13 (c) Evidence that the area meets at least 3 of the criteria under s. ~~560.71~~ 238.31  
14 (1) (e) 4.

15 (d) Evidence that the area meets the applicable requirements of s. ~~560.735~~  
16 238.335.

17 (f) A description of past and present economic development activities in the  
18 area under local, state, or federal programs.

19 (i) Any other information required by the ~~department~~ corporation.

20 (3) Two or more local governing bodies may submit a joint application  
21 nominating an area as a development zone, subject to s. ~~560.735~~ 238.335 (2), if each  
22 local governing body complies with subs. (1) and (2).

23 (5) The ~~department~~ corporation may permit a local governing body to revise an  
24 application that the ~~department~~ corporation determines is inadequate or  
25 incomplete.

1           **\*-1465/P3.1230\* \*-1059/P3.715\* SECTION 3530.** 560.725 of the statutes is  
2       renumbered 238.325 and amended to read:

3           **238.325 Evaluation by department corporation.** (1) The department  
4       corporation shall evaluate applications received under s. ~~560.72~~ 238.32 (2) and (3).

5           (2) Subject to s. ~~560.735~~ 238.335 (5), the ~~department~~ corporation may reduce  
6       the size of an area nominated as a development zone, if the ~~department~~ corporation  
7       determines the boundaries as proposed by the local governing body in an application  
8       under s. ~~560.72~~ 238.32 (2) or (3) are inconsistent with the purpose of the development  
9       zone program. Any nominated area which is reduced under this subsection need not  
10      comply with s. ~~560.735~~ 238.335 (1) and (4).

11          (3) After evaluating an application submitted under s. ~~560.72~~ 238.32 (2) or (3),  
12      the ~~department~~ corporation may approve the application, subject to any reduction  
13      in the size of the nominated area under sub. (2). If the ~~department~~ corporation  
14      approves the application, the ~~department~~ corporation shall designate the area as a  
15      development zone, subject to s. ~~560.71~~ 238.31, and notify the local governing body.

16          **\*-1465/P3.1231\* \*-1059/P3.716\* SECTION 3531.** 560.735 of the statutes is  
17      renumbered 238.335, and 238.335 (1) (a) and (c), (2), (5) (a) and (b), (6) (a) 1. and 2.  
18      and (c), (6r) and (7), as renumbered, are amended to read:

19          238.335 (1) (a) The area contains less than 10% of the valuation of the property  
20      of the city, village, or town, as determined under s. 70.57, in which the area is located.

21          (c) If the area is located within a village, town, or city other than a 1st class city,  
22      the population of the area is not less than 1,000 nor more than 10,000, as estimated  
23      under s. 16.96.

(2) If an area is located within the boundaries of 2 or more cities, villages, or towns, the property value of the cities, villages, or towns under sub. (1) (a) shall be combined for the purposes of sub. (1).

(5) (a) The area has a continuous border following natural or man-made boundaries such as streets, highways, rivers, municipal limits, or limits of a reservation.

(b) The area consists of contiguous blocks, census blocks, or similar units.

(6) (a) 1. Each of the areas has a continuous border following natural or man-made boundaries and consists of contiguous blocks, census blocks, or similar units.

2. Each area meets at least 3 of the criteria listed in s. ~~560.71~~ 238.31 (1) (e) 4.

(c) If an application is submitted by the governing body of a county under s. ~~560.72~~ 238.32 (2) or (3), up to 4 separate areas may be nominated or designated as one development zone, if par. (a) 1. to 3. applies.

(6r) Subject to the population limit under sub. (6m), if an area that is nominated or designated as a development zone is comprised of one or more entire counties and a city, village, or town is partially located in the area and partially located outside of the area, the entire city, village, or town shall be part of the nominated or designated area.

(7) The ~~department~~ corporation may waive the requirements of this section in a particular case, if the ~~department~~ corporation determines that application of the requirement is impractical with respect to a particular development zone.

**\*-1465/P3.1232\* \*-1059/P3.717\* SECTION 3532.** 560.737 of the statutes is repealed.

1           **\*-1465/P3.1233\* \*-1059/P3.718\* SECTION 3533.** 560.74 of the statutes is  
2       renumbered 238.34, and 238.34 (1), (2), (3) (intro.) and (a), (4), (5) and (6), as  
3       renumbered, are amended to read:

4           238.34 (1) Except as provided under sub. (6), at any time after a development  
5       zone is designated by the ~~department~~ corporation, a local governing body may submit  
6       an application to change the boundaries of the development zone. If the boundary  
7       change reduces the size of a development zone, the local governing body shall explain  
8       why the area excluded should no longer be in a development zone. The ~~department~~  
9       corporation may require the local governing body to submit additional information.

10          (2) The ~~department~~ corporation may approve an application for a boundary  
11       change if the development zone, as affected by the boundary changes, meets the  
12       applicable requirements of s. ~~560.735~~ 238.335 and 3 of the criteria under s. ~~560.71~~  
13       238.31 (1) (e) 4.

14          (3) (intro.) If the ~~department~~ corporation approves an application for a  
15       boundary change under sub. (2), it shall do all of the following:

16           (a) Redetermine the limit on the tax benefits for the development zone  
17       established under s. ~~560.745~~ 238.345 (2) (a).

18           (4) The change in the boundaries or tax benefits limit of a development zone  
19       shall be effective on the day the ~~department~~ corporation notifies the local governing  
20       body under sub. (3) (b).

21           (5) No change in the boundaries of a development zone may affect the duration  
22       of an area as a development zone under s. ~~560.745~~ 238.345 (1) (a). The ~~department~~  
23       corporation may consider a change in the boundary of a development zone when  
24       evaluating an application for an extension of the designation of an area as a  
25       development zone under s. ~~560.745~~ 238.345 (1) (b).

(6) The ~~department~~ corporation may not accept any applications under sub. (1) to change the boundaries of a development zone designated under s. ~~560.71~~ 238.31 on or after March 6, 2009.

**\*-1465/P3.1234\* \*-1059/P3.719\* SECTION 3534.** 560.745 of the statutes is renumbered 238.345, and 238.345 (1) (a) and (b), (2) (a), (am), (b), (c) 1. and 2. and (d) and (3), as renumbered, are amended to read:

238.345 (1) (a) The designation of an area as a development zone shall be effective for 240 months, beginning on the day the department notifies the local governing body under s. ~~560.725~~ 238.325 (3) of the designation.

(b) The local governing body may apply to the ~~department~~ corporation for one 60-month extension of the designation. The ~~department~~ corporation shall ~~promulgate~~ adopt rules establishing criteria for approving an extension of a designation of an area as a development zone under this subsection. No applications may be accepted by the ~~department~~ corporation under this paragraph on or after March 6, 2009.

(2) (a) When the ~~department~~ corporation designates a development zone under s. ~~560.71~~ 238.31, it shall establish a limit for tax benefits for the development zone determined by allocating to the development zone a portion of \$38,155,000.

(am) Notwithstanding par. (a), the ~~department~~ corporation may increase the established limit for tax benefits for a development zone. The ~~department~~ corporation may not increase the limit for tax benefits established for any development zone designated under s. ~~560.71~~ 238.31 on or after March 6, 2009.

(b) Annually the ~~department~~ corporation shall estimate the amount of forgone state revenue because of tax benefits claimed by persons in each development zone.

(c) 1. Ninety days after the day on which the department corporation determines that the forgone tax revenues under par. (b) will equal or exceed the limit for the development zone established under par. (a) or (am).

2. The day that the department corporation withdraws its designation of an area as a development zone under sub. (3).

(d) The department corporation shall immediately notify the local governing body of a change in the expiration date of the development zone under par. (c).

(3) The department corporation may withdraw the designation of an area as a development zone if any of the following apply applies:

(a) No person is certified as eligible to receive tax benefits under s. ~~560.765~~ 238.365 (3) during the 12-month period beginning on the day the area is designated as a development zone and the department corporation determines that the local governing body that nominated the zone is not in compliance with s. ~~560.763~~ 238.363.

(b) No person is certified as eligible to receive tax benefits under s. ~~560.765~~ 238.365 (3) during the 24-month period beginning on the day the area is designated a development zone.

**\*-1465/P3.1235\* \*-1059/P3.720\* SECTION 3535.** 560.75 of the statutes is renumbered 238.35, and 238.35 (intro.), (6), (7), (8) and (10), as renumbered, are amended to read:

**238.35 Additional duties of the department corporation.** (intro.) The department corporation shall do all of the following:

(6) Notify University of Wisconsin small business development centers, the Wisconsin housing and development centers, the central administration of all University of Wisconsin campuses and regional planning commissions about the development zone program and encourage those entities to provide advice to the

1 ~~department~~ corporation or local governing bodies on ways to improve the  
2 development zone program.

3 (7) Prepare forms for the certification described under s. ~~560.765~~ 238.365 (5).

4 (8) Annually verify information submitted to the ~~department~~ corporation  
5 under s. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), or 76.636.

6 (10) Enter into an agreement with the local governing body of a 1st class city  
7 where a development zone is designated under s. ~~560.71~~ 238.31 (3) (c) 1. to provide  
8 efficient administration of the development zone program within the development  
9 zone.

10 **\*-1187/P4.532\* SECTION 3536.** 560.75 (6) of the statutes is amended to read:

11 560.75 (6) Notify University of ~~Wisconsin~~ Wisconsin-Madison and University  
12 of Wisconsin System small business development centers, the Wisconsin housing  
13 and development centers, the central administration of the University of  
14 Wisconsin-Madison campus and all University of Wisconsin System campuses and  
15 regional planning commissions about the development zone program and encourage  
16 those entities to provide advice to the department or local governing bodies on ways  
17 to improve the development zone program.

18 **\*-1465/P3.1236\* \*-1059/P3.721\* SECTION 3537.** 560.763 of the statutes is  
19 renumbered 238.363, and 238.363 (1) (intro.) and (c) and (4), as renumbered, are  
20 amended to read:

21 238.363 (1) (intro.) If an area nominated by a local governing body is designated  
22 as a development zone under s. ~~560.71~~ 238.31, the local governing body shall do all  
23 of the following:

24 (c) Assist the ~~department~~ corporation in the administration of the  
25 development zone program.

(4) The local governing body of a 1st class city where a development zone is designated under s. ~~560.71~~ 238.31 (3) (c) 1. shall enter into an agreement with the ~~department~~ corporation to provide efficient administration of the development zone program within the development zone.

**\*-1465/P3.1237\* \*-1059/P3.722\* SECTION 3538.** 560.765 of the statutes is renumbered 238.365, and 238.365 (intro.), (2), (3) (intro.), (b), (c), (e) and (j) and (5) (e), (g) and (h), as renumbered, are amended to read:

**238.365 Certification for tax benefits.** (intro.) The ~~department~~ corporation shall do all of the following:

(2) Determine whether a person applying for tax benefits engages or will engage in economic activity ~~which~~ that violates s. ~~560.78~~ 238.38 (1).

(3) (intro.) Subject to s. ~~560.78~~ 238.38, certify persons who are eligible to claim tax benefits while an area is designated as a development zone, according to the following criteria:

(b) The person's commitment not to engage in economic activity that violates s. ~~560.78~~ 238.38 (1).

(c) The number of full-time jobs that will be created, retained, or substantially upgraded as a result of the person's economic activity in relation to the amount of tax benefits estimated for the person under sub. (4).

(e) The amount the person proposes to invest in a business, or spend on the construction, rehabilitation, repair, or remodeling of a building, located within the development zone.

(j) Any other criteria established under rules ~~promulgated~~ adopted by the ~~department~~ corporation.



1           (5) (e) The estimated number of full-time jobs that will be created, retained,  
2 or significantly upgraded in the development zone because of the person's business.

3           (g) The limit under s. ~~560.768~~ 238.368 on tax benefits the person may claim  
4 while an area is designated as a development zone.

5           (h) Other information required by the ~~department~~ corporation or the  
6 department of revenue.

7           **\*-1465/P3.1238\* \*-1059/P3.723\* SECTION 3539.** 560.768 of the statutes is  
8 renumbered 238.368, and 238.368 (1) (a) and (b), (2) (intro.) and (b) and (3) (a) (intro.)  
9 and 1. and (b), as renumbered, are amended to read:

10           238.368 (1) (a) The ~~department~~ corporation shall establish a limit on the  
11 maximum amount of tax benefits a person certified under s. ~~560.765~~ 238.365 (3) may  
12 claim while an area is designated as a development zone.

13           (b) When establishing a limit on tax benefits under par. (a), the ~~department~~  
14 corporation shall do all of the following:

- 15           1. Consider all of the criteria described in s. ~~560.765~~ 238.365 (3) (a) to (e).  
16           2. Establish a limit which does not greatly exceed a recommended limit,  
17 established under rules ~~promulgated~~ adopted by the ~~department~~ corporation based  
18 on the cost, number and types of full-time jobs that will be created, retained, or  
19 upgraded, including full-time jobs available to members of the targeted population,  
20 as a result of the economic activity of the person certified under s. ~~560.765~~ 238.365  
21 (3).

22           (2) (intro.) The ~~department~~ corporation may, upon request, increase a limit on  
23 tax benefits established under sub. (1) if the ~~department~~ corporation does all of the  
24 following:

(b) Revises the certification required under s. ~~560.765~~ 238.365 (5) and provides a copy of the revised form to the department of revenue and the person whose limit is increased under this subsection.

(3) (a) (intro.) The ~~department~~ corporation may reduce a limit established under sub. (1) or (2) if the ~~department~~ corporation determines that any of the following applies:

1. The limit is not consistent with the criteria listed under s. ~~560.765~~ 238.365 (3) (a) to (e).

(b) The ~~department~~ corporation shall notify the department of revenue and the person whose limit on tax benefits is reduced under par. (a) and provide a written explanation to the person of the reasons for reducing the limit.

**\*-1465/P3.1239\* \*-1059/P3.724\* SECTION 3540.** 560.77 of the statutes is renumbered 238.37, and 238.37 (1) (intro.) and (b) and (2), as renumbered, are amended to read:

238.37 (1) (intro.) The ~~department~~ corporation shall revoke the certification of a person certified under s. ~~560.765~~ 238.365 (3) if the person does any of the following:

(b) Becomes subject to revocation under s. ~~560.78~~ 238.38 (1).

(2) The ~~department~~ corporation shall notify the department of revenue within 30 days of revoking a certification under sub. (1).

**\*-1465/P3.1240\* \*-1059/P3.725\* SECTION 3541.** 560.78 of the statutes is renumbered 238.38, and 238.38 (1) (intro.), (1m), (2) (intro.) and (a) and (3) (a) and (b), as renumbered, are amended to read:

238.38 (1) (intro.) Except as provided in subs. (2) and (3), no person may be certified under s. ~~560.765~~ 238.365 (3), or a person's certification may be revoked under s. ~~560.77~~ 238.37, if the proposed new business, expansion of an existing

1 business, or other proposed economic activity in a development zone would do or does  
2 any of the following:

3 (1m) No person may be certified under s. ~~560.765~~ 238.365 (3) on or after March  
4 6, 2009.

5 (2) (intro.) Subsection (1) does not apply if, after a hearing, the ~~department~~  
6 corporation, or the local governing body under sub. (3) (a), determines that any of the  
7 following applies:

8 (a) The total number of full-time jobs provided by the person in this state would  
9 be reduced if the person were not certified under s. ~~560.765~~ 238.365 (3) or if the  
10 person's certification were revoked.

11 (3) (a) Except as provided in pars. (b) and (c), if the economic activity for which  
12 a person is seeking certification under s. ~~560.765~~ 238.365 (3) is the relocation of a  
13 business into a development zone from a location that is outside the development  
14 zone but within the limits of a city, village, town, or federally recognized American  
15 Indian reservation in which that development zone is located, the local governing  
16 body that nominated that area as a development zone under s. ~~560.72~~ 238.32 shall  
17 determine whether sub. (2) (a) or (b) applies.

18 (b) Only the ~~department~~ corporation may determine whether sub. (2) (a) or (b)  
19 applies to a business relocation described in par. (a) if the business relocation would  
20 likely result in the loss of full-time jobs at or transfer of employees from a business  
21 location that is in this state but outside the limits of any city, village, town, or  
22 federally recognized American Indian reservation in which the development zone is  
23 located.

1           **\*-1465/P3.1241\* \*-1059/P3.726\* SECTION 3542.** 560.785 of the statutes is  
2     renumbered 238.385, and 238.385 (1) (intro.), (b), (bm) and (c) (intro.) and (2) (intro.),  
3     (b) and (c), as renumbered, are amended to read:

4           238.385 (1) (intro.) For the development zone program under ss. ~~560.70 and~~  
5     ~~560.71 to 560.78~~ 238.30 and 238.31 to 238.38, the development opportunity zone  
6     program under s. ~~560.795~~ 238.395, and the enterprise development zone program  
7     under s. ~~560.797~~ 238.397, the ~~department~~ corporation shall ~~promulgate~~ adopt rules  
8     that further define a person's eligibility for tax benefits. The rules shall do at least  
9     all of the following:

10          (b) Allow a person to claim up to \$8,000 in tax benefits during the time that an  
11     area is designated as a development zone, as a development opportunity zone, or as  
12     an enterprise development zone for creating a full-time job that is filled by a member  
13     of the target population.

14          (bm) Allow a person to claim up to \$8,000 in tax benefits during the time that  
15     an area is designated as an enterprise development zone for retaining a full-time job  
16     if the ~~department~~ corporation determines that the person made a significant capital  
17     investment to retain the full-time job.

18          (c) (intro.) Allow a person to claim up to \$6,000 in tax benefits during the time  
19     that an area is designated as a development zone, as a development opportunity  
20     zone, or as an enterprise development zone for any of the following:

21          (2) (intro.) The ~~department~~ corporation may by rule specify circumstances  
22     under which the ~~department~~ corporation may grant exceptions to any of the  
23     following:

24          (b) The requirement under ss. ~~560.70~~ 238.30 (2m) and ~~560.797~~ 238.397 (1) (am)  
25     that an individual's pay must equal at least 150% of the federal minimum wage.

(c) The requirement under ss. ~~560.70~~ 238.30 (2m) and ~~560.797~~ 238.397 (1) (am) that an individual's position must be regular, nonseasonal, and full-time and that the individual must be required to work at least 2,080 hours per year, including paid leave and holidays.

**\*-1465/P3.1242\* \*-1059/P3.727\* SECTION 3543.** 560.795 of the statutes is renumbered 238.395, and 238.395 (1) (a), (b), (c), (d), (e), (f), (g) and (h), (2) (c), (d) and (e), (3) (a), (b) 1., 2., 3., 4., 5., 6., 7., 8. and 9., (c) and (d), (4) (a) (intro.) and (b) and (5) (a) (intro.), 2. and 3., (b), (c), (d), (e) (intro.) and 3. and (f), as renumbered, are amended to read:

238.395 (1) (a) An area in the city of Beloit, the legal description of which is provided to the ~~department~~ corporation by the local governing body of the city of Beloit.

(b) An area in the city of West Allis, the legal description of which is provided to the ~~department~~ corporation by the local governing body of the city of West Allis.

(c) An area in the city of Eau Claire, the legal description of which is provided to the ~~department~~ corporation by the local governing body of the city of Eau Claire.

(d) An area in the city of Kenosha, the legal description of which is provided to the ~~department~~ corporation by the local governing body of the city of Kenosha.

(e) An area in the city of Milwaukee, the legal description of which is provided to the ~~department~~ corporation by the local governing body of the city of Milwaukee.

(f) For the Gateway Project, an area in the city of Beloit, the legal description of which is provided to the ~~department~~ corporation by the local governing body of the city of Beloit.

(g) An area in the city of Janesville, the legal description of which is provided to the ~~department~~ corporation by the local governing body of the city of Janesville.

(h) An area in the city of Kenosha, the legal description of which is provided to the ~~department~~ corporation by the local governing body of the city of Kenosha.

(2) (c) Annually, the ~~department~~ corporation shall estimate the amount of forgone state revenue because of tax benefits claimed by ~~corporations or~~ persons in each development opportunity zone.

(d) 1. Notwithstanding pars. (a) and (e), the designation of an area as a development opportunity zone shall expire 90 days after the day on which the ~~department~~ corporation determines that the forgone tax revenues under par. (c) will equal or exceed the limit for the development opportunity zone.

2. The ~~department~~ corporation shall immediately notify the local governing body of the city in which the development opportunity zone is located of a change in the expiration date of the development opportunity zone under this paragraph.

(e) 1. The ~~department~~ corporation may extend the designation of an area under sub. (1) (g) as a development opportunity zone for an additional 60 months if the ~~department~~ corporation determines that an extension under this subdivision would support economic development within the city. If the ~~department~~ corporation extends the designation of the area as a development opportunity zone, the limit for tax benefits for the development opportunity zone under sub. (1) (g) is increased by \$5,000,000.

2. The ~~department~~ corporation may extend the designation of an area under sub. (1) (h) as a development opportunity zone for an additional 60 months if the ~~department~~ corporation determines that an extension under this subdivision would support economic development within the city. If the ~~department~~ corporation extends the designation of the area as a development opportunity zone, the limit for

1 tax benefits for the development opportunity zone under sub. (1) (h) is increased by  
2 \$5,000,000.

3 (3) (a) 1. Any ~~corporation~~ person that is conducting or that intends to conduct  
4 economic activity in a development opportunity zone under sub. (1) (a) or (b) and  
5 that, in conjunction with the local governing body of the city in which the  
6 development opportunity zone is located, submits a project plan as described in par.  
7 (b) to the ~~department~~ corporation no later than 6 months after April 23, 1994, shall  
8 be entitled to claim tax benefits while the area is designated as a development  
9 opportunity zone.

10 2. Any ~~corporation~~ person that is conducting or that intends to conduct  
11 economic activity in a development opportunity zone under sub. (1) (c) and that, in  
12 conjunction with the local governing body of the city in which the development  
13 opportunity zone is located, submits a project plan as described in par. (b) to the  
14 ~~department~~ corporation no later than 6 months after April 28, 1995, shall be entitled  
15 to claim tax benefits while the area is designated as a development opportunity zone.

16 3. Any ~~corporation~~ person that is conducting or that intends to conduct  
17 economic activity in a development opportunity zone under sub. (1) (d) and that, in  
18 conjunction with the local governing body of the city in which the development  
19 opportunity zone is located, submits a project plan as described in par. (b) to the  
20 ~~department~~ corporation no later than July 1, 2000, shall be entitled to claim tax  
21 benefits while the area is designated as a development opportunity zone.

22 4. Any person that is conducting or that intends to conduct economic activity  
23 in a development opportunity zone under sub. (1) (e), (f), (g), or (h) and that, in  
24 conjunction with the local governing body of the city in which the development  
25 opportunity zone is located, submits a project plan as described in par. (b) to the

1 ~~department~~ corporation shall be entitled to claim tax benefits while the area is  
2 designated as a development opportunity zone.

3 (b) 1. The name and address of the ~~corporation's or~~ person's business for which  
4 tax benefits will be claimed.

5 2. The appropriate federal tax identification number of the ~~corporation or~~  
6 person.

7 3. The names and addresses of other locations outside of the development  
8 opportunity zone where the ~~corporation or~~ person conducts business and a  
9 description of the business activities conducted at those locations.

10 4. The amount that the ~~corporation or~~ person proposes to invest in a business,  
11 or spend on the construction, rehabilitation, repair, or remodeling of a building,  
12 located within the development opportunity zone.

13 5. The estimated total investment of the ~~corporation or~~ person in the  
14 development opportunity zone.

15 6. The number of full-time jobs that will be created, retained, or substantially  
16 upgraded as a result of the ~~corporation's or~~ person's economic activity in relation to  
17 the amount of tax benefits estimated for the ~~corporation or~~ person.

18 7. The ~~corporation's or~~ person's plans to make reasonable attempts to hire  
19 employees from the targeted population.

20 8. A description of the commitment of the local governing body of the city in  
21 which the development opportunity zone is located to the ~~corporation's or~~ person's  
22 project.

23 9. Other information required by the ~~department~~ corporation or the  
24 department of revenue.



1 (c) The ~~department~~ corporation shall notify the department of revenue of all  
2 ~~corporations or~~ persons entitled to claim tax benefits under this subsection.

3 (d) The ~~department~~ corporation annually shall verify information submitted  
4 to the ~~department~~ corporation under s. 71.07 (2di), (2dm), or (2dx), 71.28 (1di), (1dm),  
5 or (1dx), 71.47 (1di), (1dm), or (1dx), or 76.636.

6 (4) (a) (intro.) The ~~department~~ corporation shall revoke the entitlement of a  
7 ~~corporation or~~ person to claim tax benefits under sub. (3) if the ~~corporation or~~ person  
8 does any of the following:

9 (b) The ~~department~~ corporation shall notify the department of revenue within  
10 30 days after revoking an entitlement under par. (a).

11 (5) (a) (intro.) The ~~department~~ corporation may certify for tax benefits a person  
12 that is conducting economic activity in the development opportunity zone under sub.  
13 (1) (e) or (f) and that is not otherwise entitled to claim tax benefits if all of the  
14 following apply:

15 2. The ~~department~~ corporation determines that the economic activity of the  
16 other person under subd. 1. would not have occurred but for the involvement of the  
17 person to be certified for tax benefits under this subsection.

18 3. The person to be certified for tax benefits under this subsection will pass the  
19 benefits through to the other person conducting the economic activity under subd.  
20 1., as determined by the ~~department~~ corporation.

21 (b) A person intending to claim tax benefits under this subsection shall submit  
22 to the ~~department~~ corporation an application, in the form required by the  
23 ~~department~~ corporation, containing information required by the ~~department~~  
24 corporation and by the department of revenue.

1 (c) The ~~department~~ corporation shall notify the department of revenue of all  
2 persons certified to claim tax benefits under this subsection.

3 (d) The ~~department~~ corporation annually shall verify information submitted  
4 to the ~~department~~ corporation under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx),  
5 71.47 (1dm) or (1dx), or 76.636.

6 (e) (intro.) The ~~department~~ corporation shall revoke the entitlement of a person  
7 to claim tax benefits under this subsection if the person does any of the following:

8 3. Does not pass the benefits through to the other person conducting the  
9 economic activity under par. (a) 1., as determined by the ~~department~~ corporation.

10 (f) The ~~department~~ corporation shall notify the department of revenue within  
11 30 days after revoking an entitlement under par. (e).

12 **\*-1465/P3.1243\* \*-1059/P3.728\* SECTION 3544.** 560.797 of the statutes is  
13 renumbered 238.397, and 238.397 (1) (am), (c) and (d), (2) (a) (intro.), 3. and 4. a. and  
14 d. and (b) (intro.), 1. and 8., (bg) (intro.) and 2., (br) (intro.), (c), (d) and (e), (3) (a), (b)  
15 4., 6. and 11. and (c), (4) (a), (c), (d), (f) and (g), (5) (a), (b), (c) and (d) 1. and 2. and (6)  
16 (a) (intro.) and (b), as renumbered, are amended to read:

17 238.397 (1) (am) "Full-time job" has the meaning given in s. ~~560.70~~ 238.30  
18 (2m).

19 (c) "Target population" has the meaning given in s. ~~560.70~~ 238.30 (6).

20 (d) "Tax benefits" has the meaning given in s. ~~560.70~~ 238.30 (7).

21 (2) (a) (intro.) Subject to pars. (c), (d), and (e), the ~~department~~ corporation may  
22 designate an area as an enterprise development zone for a project if the ~~department~~  
23 corporation determines all of the following:

24 3. That the project is not likely to occur or continue without the ~~department's~~  
25 corporation's designation of the area as an enterprise development zone.

1           4. a. The unemployment rate in the area is higher than the state average for  
2           the 18 months immediately preceding the date on which the application under sub.  
3           (3) was submitted to the ~~department~~ corporation.

4           d. In the 36 months immediately preceding the date on which the application  
5           under sub. (3) was submitted to the ~~department~~ corporation, a number of workers  
6           in the area were permanently laid off by their employer or became unemployed as  
7           a result of a business action subject to s. 109.07 (1m).

8           (b) (intro.) In making a determination under par. (a), the ~~department~~  
9           corporation shall consider all of the following:

10           1. The extent of poverty, unemployment, or other factors contributing to  
11           general economic hardship in the area.

12           8. Any other factors that the ~~department~~ corporation considers relevant.

13           (bg) (intro.) Notwithstanding par. (a) and subject to pars. (c), (d), and (e), the  
14           ~~department~~ corporation may designate an area as an enterprise development zone  
15           for a project if the ~~department~~ corporation determines all of the following:

16           2. That the project is not likely to occur or continue without the ~~department's~~  
17           corporation's designation of the area as an enterprise development zone.

18           (br) (intro.) In making a determination under par. (bg), the ~~department~~  
19           corporation shall consider all of the following:

20           (c) The ~~department~~ corporation may not designate as an enterprise  
21           development zone, or as any part of an enterprise development zone, an area that is  
22           located within the boundaries of an area that is designated as a development  
23           opportunity zone under s. ~~560.795~~ 238.395, the designation of which is in effect.

24           (d) The ~~department~~ corporation may not designate more than 98 enterprise  
25           development zones unless the ~~department~~ corporation obtains the approval of the

1 joint committee on finance to do so. Of the enterprise development zones that the  
2 ~~department~~ corporation designates, at least 10 shall be designated under par. (bg).

3 (e) The ~~department~~ corporation may not designate any area as an enterprise  
4 development zone on or after March 6, 2009.

5 (3) (a) A person that conducts or that intends to conduct a project and that  
6 desires to have the area in which the project is or is to be conducted designated as  
7 an enterprise development zone for the purpose of claiming tax benefits may submit  
8 to the ~~department~~ corporation an application and a project plan.

9 (b) 4. The amount that the person proposes to invest in a business; to spend on  
10 the construction, rehabilitation, repair, or remodeling of a building; or to spend on  
11 the removal or containment of, or the restoration of soil or groundwater affected by,  
12 environmental pollution; in the area proposed to be designated as an enterprise  
13 development zone.

14 6. The estimated number of full-time jobs that will be created, retained, or  
15 substantially upgraded as a result of the person's project in relation to the amount  
16 of tax benefits estimated for the person.

17 11. Any other information required by the ~~department~~ corporation or the  
18 department of revenue.

19 (c) The ~~department~~ corporation may not accept or approve any applications or  
20 project plans submitted under par. (a) on or after March 6, 2009.

21 (4) (a) Except as provided in par. (h), if the ~~department~~ corporation approves  
22 a project plan under sub. (3) and designates the area in which the person submitting  
23 the project plan conducts or intends to conduct the project as an enterprise  
24 development zone under the criteria under sub. (2), the ~~department~~ corporation shall  
25 certify the person as eligible for tax benefits.

1 (c) When the ~~department~~ corporation designates an area as an enterprise  
2 development zone for a project, the ~~department~~ corporation shall notify the  
3 governing body of any city, village, town, or federally recognized American Indian  
4 tribe or band in which the area is located of the area's designation.

5 (d) The ~~department~~ corporation shall notify the department of revenue of all  
6 persons entitled to claim tax benefits under this section, except that the ~~department~~  
7 corporation shall notify the office of the commissioner of insurance of all persons  
8 entitled to claim the credit under s. 76.636.

9 (f) The tax benefits for which a person is certified as eligible under this  
10 subsection are not transferable to another person, business, or location, except to the  
11 extent permitted under section 383 of the internal revenue code.

12 (g) The ~~department~~ corporation annually shall verify information submitted  
13 to the ~~department~~ corporation under s. 71.07 (2dx), 71.28 (1dx), 71.47 (1dx), or  
14 76.636.

15 (5) (a) When the ~~department~~ corporation designates an area as an enterprise  
16 development zone under this section, the ~~department~~ corporation shall specify the  
17 length of time, not to exceed 84 months, that the designation is effective, subject to  
18 par. (d) and sub. (6).

19 (b) When the ~~department~~ corporation designates an area as an enterprise  
20 development zone under this section, the ~~department~~ corporation shall establish a  
21 limit, not to exceed \$3,000,000, for tax benefits for the enterprise development zone.

22 (c) Annually, the ~~department~~ corporation shall estimate the amount of forgone  
23 state revenue because of tax benefits claimed by persons in each enterprise  
24 development zone.

(d) 1. Notwithstanding the length of time specified by the ~~department~~ corporation under par. (a), the designation of an area as an enterprise development zone shall expire 90 days after the day on which the ~~department~~ corporation determines that the forgone tax revenues under par. (c) will equal or exceed the limit established for the enterprise development zone.

2. The ~~department~~ corporation shall immediately notify the department of revenue and the governing body of any city, village, town, or federally recognized American Indian tribe or band in which the enterprise development zone is located of a change in the expiration date of the enterprise development zone under this paragraph.

(6) (a) (intro.) The ~~department~~ corporation shall revoke the entitlement of a person to claim tax benefits under this section, and the designation of the area as an enterprise development zone shall expire, if the person does any of the following:

(b) The ~~department~~ corporation shall notify the department of revenue within 30 days after revoking an entitlement under par. (a).

**\*-1465/P3.1244\* \*-1059/P3.729\* SECTION 3545.** 560.798 of the statutes is renumbered 238.398, and 238.398 (2) (a) and (b), (3) (a) and (b), (4) (a) (intro.) and (b) and (5) (intro.) and (e), as renumbered, are amended to read:

238.398 (2) (a) Except as provided under par. (c), the ~~department~~ corporation may designate one area in the state as an agricultural development zone. The area must be located in a rural municipality. An agricultural business that is located in an agricultural development zone and that is certified by the ~~department~~ corporation under sub. (3) is eligible for tax benefits as provided in sub. (3).

(b) The designation of an area as an agricultural development zone shall be in effect for 10 years from the time that the ~~department~~ corporation first designates the

1 area. Not more than \$5,000,000 in tax benefits may be claimed in an agricultural  
2 development zone, except that the ~~department~~ corporation may allocate the amount  
3 of unallocated airport development zone tax credits, as provided under s. ~~560.7995~~  
4 238.3995 (3) (b), to agricultural development zones for which the \$5,000,000  
5 maximum allocation is insufficient. The ~~department~~ corporation may change the  
6 boundaries of an agricultural development zone during the time that its designation  
7 is in effect. A change in the boundaries of an agricultural development zone does not  
8 affect the duration of the designation of the area or the maximum tax benefit amount  
9 that may be claimed in the agricultural development zone.

10 (3) (a) Except as provided under par. (c), the ~~department~~ corporation may  
11 certify for tax benefits in an agricultural development zone a new or expanding  
12 agricultural business that is located in the agricultural development zone. In  
13 determining whether to certify a business under this subsection, the ~~department~~  
14 corporation shall consider, among other things, the number of jobs that will be  
15 created or retained by the business.

16 (b) When the ~~department~~ corporation certifies an agricultural business under  
17 this subsection, the ~~department~~ corporation shall establish a limit on the amount of  
18 tax benefits that the business may claim. The ~~department~~ corporation shall enter  
19 into an agreement with the business that specifies the limit on the amount of tax  
20 benefits that the business may claim and reporting requirements with which the  
21 business must comply.

22 (4) (a) (intro.) The ~~department of commerce~~ corporation shall notify the  
23 department of revenue of all the following:

(b) The ~~department~~ corporation shall annually verify information submitted to the ~~department~~ corporation under s. 71.07 (2dm) or (2dx), 71.28 (1dm) or (1dx), 71.47 (1dm) or (1dx), or 76.636.

(5) (intro.) The ~~department~~ corporation shall ~~promulgate~~ adopt rules for the operation of this section, including rules related to all the following:

(e) The exchange of information between the ~~department of commerce~~ corporation and the department of revenue.

**\*-1465/P3.1245\* \*-1059/P3.730\* SECTION 3546.** 560.799 of the statutes is renumbered 238.399, and 238.399 (1) (am) 2., (3) (a), (b) (intro.), (bm) and (c), (5) (intro.), (b), (c) 1. a. and b., 2. b. and c., (d) 1. and (e), (5m) and (6) (a), (b) (intro.), (c), (d), (e), (f) and (g) (intro.) and 1. (intro.), as renumbered, are amended to read:

238.399 (1) (am) 2. The ~~department~~ corporation may by rule specify circumstances under which the ~~department~~ corporation may grant exceptions to the requirement under subd. 1. that a full-time employee means an individual who, as a condition of employment, is required to work at least 2,080 hours per year, but under no circumstances may a full-time employee mean an individual who, as a condition of employment, is required to work less than 37.5 hours per week.

(3) DESIGNATION OF ENTERPRISE ZONES; CRITERIA. (a) The ~~department~~ corporation may designate not more than 12 enterprise zones.

(b) (intro.) In determining whether to designate an area under par. (a), the ~~department~~ corporation shall consider all of the following:

(bm) The ~~department~~ corporation shall specify whether an enterprise zone designated under par. (a) is located in a tier I county or municipality or a tier II county or municipality.



1 (c) The ~~department~~ corporation shall, to the extent possible, give preference to  
2 the greatest economic need.

3 (5) CERTIFICATION. (intro.) The ~~department~~ corporation may certify for tax  
4 benefits any of the following:

5 (b) A business that relocates to an enterprise zone from outside this state, if the  
6 business offers compensation and benefits to its employees working in the zone for  
7 the same type of work that are at least as favorable as those offered to its employees  
8 working outside the zone, as determined by the ~~department~~ corporation.

9 (c) 1. a. The business enters into an agreement with the ~~department~~  
10 corporation to claim tax benefits only for years during which the business maintains  
11 the increased level of personnel.

12 b. The business offers compensation and benefits for the same type of work to  
13 its employees working in the enterprise zone that are at least as favorable as those  
14 offered to its employees working in this state but outside the zone, as determined by  
15 the ~~department~~ corporation.

16 2. b. The business enters into an agreement with the ~~department~~ corporation  
17 to claim tax benefits only for years during which the business maintains the capital  
18 investment.

19 c. The business offers compensation and benefits for the same type of work to  
20 its employees working in the zone that are at least as favorable as those offered to  
21 its employees working in this state but outside the zone, as determined by the  
22 ~~department~~ corporation.

23 (d) 1. The business is an original equipment manufacturer with a significant  
24 supply chain in the state, as determined by the ~~department~~ corporation by rule.

1 (e) A business located in an enterprise zone if the business purchases tangible  
2 personal property, items, property, or goods under s. 77.52 (1) (b), (c), or (d), or  
3 services from Wisconsin vendors, as determined by the ~~department~~ corporation.

4 (5m) ADDITIONAL TAX BENEFITS FOR SIGNIFICANT CAPITAL EXPENDITURES. If the  
5 ~~department~~ corporation determines that a business certified under sub. (5) makes  
6 a significant capital expenditure in the enterprise zone, the ~~department~~ corporation  
7 may certify the business to receive additional tax benefits in an amount to be  
8 determined by the ~~department~~ corporation, but not exceeding 10 percent of the  
9 business' capital expenditures. The ~~department~~ corporation shall, in a manner  
10 determined by the ~~department~~ corporation, allocate the tax benefits a business is  
11 certified to receive under this subsection over the remainder of the time limit of the  
12 enterprise zone under sub. (4).

13 (6) (a) The ~~department of commerce~~ corporation shall notify the department  
14 of revenue when the ~~department of commerce~~ corporation certifies a business to  
15 receive tax benefits.

16 (b) (intro.) The ~~department~~ corporation shall revoke a certification under sub.  
17 (5) if the business does any of the following:

18 (c) The ~~department of commerce~~ corporation shall notify the department of  
19 revenue within 30 days of a revocation under par. (b).

20 (d) The ~~department~~ corporation may require a business to repay any tax  
21 benefits the business claims for a year in which the business failed to maintain  
22 employment or capital investment levels required by an agreement under sub. (5) (c).

23 (e) The ~~department~~ corporation shall determine the maximum amount of the  
24 tax credits under ss. 71.07 (3w), 71.28 (3w), and 71.47 (3w) that a certified business  
25 may claim and shall notify the department of revenue of this amount.

(f) The ~~department~~ corporation shall annually verify the information submitted to the ~~department~~ corporation under ss. 71.07 (3w), 71.28 (3w), or 71.47 (3w).

(g) (intro.) The ~~department~~ corporation shall ~~promulgate~~ adopt rules specifying all of the following ~~by rule~~:

1. (intro.) The definitions of a tier I county or municipality and a tier II county or municipality. The ~~department~~ corporation may consider all of the following information when establishing the definitions required under this subdivision:

**\*-1465/P3.1246\* \*-1059/P3.731\* SECTION 3547.** 560.7995 of the statutes is renumbered 238.3995, and 238.3995 (1) (b) and (c), (2) (a) (intro.) and 4., (b) (intro.) and 8., (c) 1. and 2. and (d), (3) (a), (b), (c) and (d) 1. and 2., (4) (a) (intro.) and 10., (am), (ar), (b) 1., (c) (intro.) and (d) and (5), as renumbered, are amended to read:

238.3995 (1) (b) "Full-time job" has the meaning given in s. ~~560.70~~ 238.30 (2m).

(c) "Target population" has the meaning given in s. ~~560.70~~ 238.30 (6).

(2) (a) (intro.) Subject to pars. (c) and (e), the ~~department~~ corporation may designate an area as an airport development zone if the ~~department~~ corporation determines all of the following:

4. That the airport development project is not likely to occur or continue without the ~~department's~~ corporation designation of the area as an airport development zone.

(b) (intro.) In making a determination under par. (a), the ~~department~~ corporation shall consider all of the following:

8. Any other factors that the ~~department~~ corporation considers relevant.

(c) 1. The ~~department~~ corporation may not designate as an airport development zone, or as any part of an airport development zone, an area that is located within

1 the boundaries of an area that is designated as a development zone under s. ~~560.71~~  
2 238.31, as a development opportunity zone under s. ~~560.795~~ 238.395, or as an  
3 enterprise development zone under s. ~~560.797~~ 238.397.

4 2. The ~~department~~ corporation shall give the department of transportation the  
5 opportunity to review and comment on any proposed designation under this  
6 subsection and the department of transportation may deny any such designation if  
7 the department of transportation determines that the designation would  
8 compromise the airport's safety or utility. The department of transportation may  
9 also review and comment on any land use or compatibility issues related to any  
10 proposed designation under this subsection.

11 (d) Notwithstanding pars. (a) to (c), and except as provided in par. (e), the  
12 ~~department~~ corporation shall designate as an airport development zone the area  
13 within the boundaries of Adams, Fond du Lac, Green Lake, Juneau, Langlade,  
14 Lincoln, Marathon, Marquette, Menominee, Oneida, Portage, Price, Shawano,  
15 Taylor, Waupaca, Waushara, Winnebago, Wood, and Vilas counties.

16 (3) (a) When the ~~department~~ corporation designates an area as an airport  
17 development zone, the ~~department~~ corporation shall specify the length of time, not  
18 to exceed 84 months, that the designation is effective, subject to par. (d). The  
19 ~~department~~ corporation shall notify each person certified for tax benefits in an  
20 airport development zone, the department of revenue, the department of  
21 transportation, the Wisconsin Housing and Economic Development Authority, and  
22 the governing body of each county, city, village, town, and federally recognized  
23 American Indian tribe or band in which territory of the airport development zone is  
24 located of the designation of and expiration date of the airport development zone.

(b) When the department corporation designates an area as an airport development zone, the department corporation shall establish a limit, not to exceed \$3,000,000, for tax benefits applicable to the airport development zone, except that the department corporation shall limit the amount of tax benefits applicable to the airport development zone designated under sub. (2) (d) to \$750,000. The total tax benefits applicable to all airport development zones may not exceed \$9,000,000, less any amount allocated to technology zones under s. ~~560.96~~ 238.23 (2) (b) and to agricultural development zones under s. ~~560.798~~ 238.398 (2) (b), and except that the total amount allocated to all technology zones under s. ~~560.96~~ 238.23 (2) (b) and to all agricultural development zones under s. ~~560.798~~ 238.398 (2) (b), may not exceed \$6,000,000. The department corporation may not reallocate amounts as provided under this paragraph on or after January 1, 2010, except that the department corporation may, after 48 months from the month of any designation under this section, evaluate the area designated as an airport development zone and reallocate the amount of available tax benefits.

(c) Annually, the department corporation shall estimate the amount of forgone state revenue because of tax benefits claimed by persons in each airport development zone.

(d) 1. Notwithstanding the length of time specified by the department corporation under par. (a), the designation of an area as an airport development zone shall expire 90 days after the day on which the department corporation determines that the forgone tax revenues estimated under par. (c) will equal or exceed the limit established for the airport development zone.

2. The department corporation shall immediately notify each person certified for tax benefits in an airport development zone, the department of revenue, the

1 department of transportation, the Wisconsin Housing and Economic Development  
2 Authority, and the governing body of each county, city, village, town, and federally  
3 recognized American Indian tribe or band in which territory of the airport  
4 development zone is located of a change in the expiration date of the airport  
5 development zone under this paragraph.

6 (4) (a) (intro.) A person that intends to operate a place of business in an airport  
7 development zone may submit to the ~~department~~ corporation an application and a  
8 business plan. The business plan shall include all of the following:

9 10. Any other information required by the ~~department~~ corporation or the  
10 department of revenue.

11 (am) A person that intends to operate a business in the airport development  
12 zone designated under sub. (2) (d) may submit to the ~~department~~ corporation an  
13 application and a business plan that includes all of the information required under  
14 par. (a). In approving business plans submitted under this paragraph, the  
15 ~~department~~ corporation shall give higher priority to airport development projects  
16 located or proposed to be located in ~~a distressed area, as defined in s. 560.605 (7) (b)~~  
17 areas that have high levels of unemployment, areas that have a low median  
18 household income, areas where significant number of workers have been  
19 permanently laid off, areas in which an employer has given public notice of a plant  
20 closing or a substantial reduction in force that will result in a significant number of  
21 workers in the area being permanently laid off, and areas affected by other factors  
22 that indicate they are distressed areas, as determined by the corporation.

23 (ar) The ~~department~~ corporation may not accept or approve any applications  
24 or business plans submitted under par. (a) on or after March 6, 2009.

1 (b) 1. Except as provided in subd. 2., if the department corporation approves  
2 a business plan under par. (a) or (am), the department corporation shall certify the  
3 person as eligible for tax benefits. The department corporation shall notify the  
4 department of revenue within 30 days of certifying a person under this paragraph.

5 (c) (intro.) The department corporation shall revoke a person's certification  
6 under par. (b) when the designation of the applicable airport development zone  
7 expires or if the person does any of the following:

8 (d) The department corporation shall notify the department of revenue within  
9 30 days after revoking a certification under par. (c).

10 (5) VERIFICATION OF INFORMATION. The department corporation annually shall  
11 verify information submitted to the department corporation under ss. 71.07 (2dm)  
12 and (2dx), 71.28 (1dm) and (1dx), and 71.47 (1dm) and (1dx) as it relates to airport  
13 development zones.

14 **\*-1465/P3.1247\* \*-1059/P3.732\* SECTION 3548.** Subchapter VIII (title) of  
15 chapter 560 [precedes 560.86] of the statutes is repealed.

16 **\*-1465/P3.1248\* \*-1059/P3.733\* SECTION 3549.** 560.86 of the statutes is  
17 repealed.

18 **\*-1465/P3.1249\* \*-1059/P3.734\* SECTION 3550.** 560.87 of the statutes is  
19 repealed.

20 **\*-1465/P3.1250\* \*-1059/P3.735\* SECTION 3551.** 560.875 of the statutes is  
21 repealed.

22 **\*-1465/P3.1251\* \*-1059/P3.736\* SECTION 3552.** Subchapter IX of chapter  
23 560 [precedes 560.90] of the statutes is repealed.

24 **\*-1465/P3.1252\* \*-1059/P3.737\* SECTION 3553.** 560.90 of the statutes is  
25 repealed.

**SECTION 3554**

1           **\*-1465/P3.1253\* \*-1059/P3.738\* SECTION 3554.** 560.905 of the statutes is  
2 repealed.

3           **\*-1465/P3.1254\* \*-1059/P3.739\* SECTION 3555.** 560.92 of the statutes is  
4 repealed.

5           **\*-1465/P3.1255\* \*-1059/P3.740\* SECTION 3556.** 560.93 of the statutes is  
6 repealed.

7           **\*-1465/P3.1256\* \*-1059/P3.741\* SECTION 3557.** 560.96 of the statutes is  
8 renumbered 238.23, and 238.23 (2) (a) and (b), (3) (a) (intro.), (b) (intro.), (c) and (d),  
9 (4) (a) (intro.) and (b) and (5) (intro.), (e) and (g), as renumbered, are amended to read:

10           238.23 (2) (a) Except as provided in par. (c), the ~~department~~ corporation may  
11 designate up to 8 areas in the state as technology zones. A business that is located  
12 in a technology zone and that is certified by the ~~department~~ corporation under sub.  
13 (3) is eligible for a tax credit as provided in sub. (3).

14           (b) The designation of an area as a technology zone shall be in effect for 10 years  
15 from the time that the ~~department~~ corporation first designates the area. Not more  
16 than \$5,000,000 in tax credits may be claimed in a technology zone, except that the  
17 ~~department~~ corporation may allocate the amount of unallocated airport  
18 development zone tax credits, as provided under s. ~~560.7995~~ 238.3995 (3) (b), to  
19 technology zones for which the \$5,000,000 maximum allocation is insufficient. The  
20 ~~department~~ corporation may change the boundaries of a technology zone during the  
21 time that its designation is in effect. A change in the boundaries of a technology zone  
22 does not affect the duration of the designation of the area or the maximum tax credit  
23 amount that may be claimed in the technology zone.



1           (3) (a) (intro.) Except as provided in par. (e), the ~~department~~ corporation may  
2       certify for tax credits in a technology zone a business that satisfies all of the following  
3       requirements:

4           (b) (intro.) In determining whether to certify a business under this subsection,  
5       the ~~department~~ corporation shall consider all of the following:

6           (c) When the ~~department~~ corporation certifies a business under this  
7       subsection, the ~~department~~ corporation shall establish a limit on the amount of tax  
8       credits that the business may claim. Unless its certification is revoked, and subject  
9       to the limit on the tax credit amount established by the ~~department~~ corporation  
10      under this paragraph, a business that is certified may claim a tax credit for 3 years,  
11      except that a business that experiences growth, as determined for that business by  
12      the ~~department~~ corporation under par. (d) and sub. (5) (e), may claim a tax credit for  
13      up to 5 years.

14          (d) The ~~department~~ corporation shall enter into an agreement with a business  
15      that is certified under this subsection. The agreement shall specify the limit on the  
16      amount of tax credits that the business may claim, the extent and type of growth,  
17      which shall be specific to the business, that the business must experience to extend  
18      its eligibility for a tax credit, the business' baseline against which that growth will  
19      be measured, any other conditions that the business must satisfy to extend its  
20      eligibility for a tax credit, and reporting requirements with which the business must  
21      comply.

22          (4) (a) (intro.) The ~~department of commerce~~ corporation shall notify the  
23      department of revenue of all the following:

1 (b) The ~~department~~ corporation shall annually verify information submitted  
2 to the ~~department~~ corporation under ss. 71.07 (2di), (2dm), (2dx), and (3g), 71.28  
3 (1di), (1dm), (1dx), and (3g), and 71.47 (1di), (1dm), (1dx), and (3g).

4 (5) (intro.) The ~~department~~ corporation shall ~~promulgate~~ adopt rules for the  
5 operation of this section, including rules related to all the following:

6 (e) Standards for extending a business's certification, including what  
7 measures, in addition to job creation, the ~~department~~ corporation will use to  
8 determine the growth of a specific business and how the ~~department~~ corporation will  
9 establish baselines against which to measure growth.

10 (g) The exchange of information between the ~~department of commerce~~  
11 corporation and the department of revenue.

12 **\*-1465/P3.1258\* \*-0805/P2.40\* SECTION 3558.** 560.9801 of the statutes is  
13 renumbered 234.5601, and 234.5601 (2) (a), as renumbered, is amended to read:

14 234.5601 (2) (a) A housing authority organized under s. 59.53 (22), 61.73,  
15 66.1201, or 66.1213 or ~~ch. 234~~ this chapter.

16 **\*-1465/P3.1257\* \*-1059/P3.742\* SECTION 3559.** Subchapter X (title) of  
17 chapter 560 [precedes 560.9801] of the statutes is repealed.

18 **\*-1465/P3.1259\* \*-0805/P2.41\* SECTION 3560.** 560.9802 of the statutes is  
19 renumbered 234.5602, and 234.5602 (1) (a) and (b), (3) and (4), as renumbered, are  
20 amended to read:

21 234.5602 (1) (a) The ~~department~~ authority shall prepare a comprehensive  
22 5-year state housing strategy plan. The ~~department~~ authority shall submit the plan  
23 to the federal department of housing and urban development.